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An Act To Amend the Surcharge for the E-9-1-1 System

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State's E-9-1-1 service provides significant public safety benefits by enabling the public to dial 9-1-1 in the event of an emergency and speeding up the dispatch of emergency services through automatic caller location information; and

Whereas, the E-9-1-1 system is funded by a special statewide surcharge on telephone lines; and

Whereas, the E-9-1-1 surcharge is established in statute and had been fixed at 50¢ per line per month since 2001; and

Whereas, the surcharge was reduced from 50¢ to 30¢ in 2008; and

Whereas, it is necessary to set the E-9-1-1 surcharge as soon as possible to ensure that the money contributed by telephone ratepayers to fund the E-9-1-1 system is used for that purpose and the surcharge amount going forward is consistent with expenditure needs; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 25 MRSA §2927, sub-§1-B, as amended by PL 2007, c. 637, §1, is further amended to read:

1-B. Statewide E-9-1-1 surcharge. The activities authorized under this chapter are funded through a special statewide E-9-1-1 surcharge levied on each residential and business telephone exchange line, including private branch exchange lines and Centrex lines, cellular or wireless telecommunications service customers, including prepaid wireless telephone service customers, interconnected voice over Internet protocol service customers and semipublic coin and public access lines. The statewide E-9-1-1 surcharge may not be imposed on more than 25 lines or numbers per customer billing account, except that this limitation does not apply to prepaid wireless telephone services. In the case of cellular or wireless telecommunications service customers, the place of residence of those customers must be determined according to the sourcing rules for mobile telecommunications services as set forth in Title 36, section 2556. ~~The Beginning July 1, 2009, the statewide E-9-1-1 surcharge is 30¢~~37¢ per month per line or number or, in the case of prepaid wireless telephone services, ~~30¢~~37¢ per month or 30-day increment of service per customer. Beginning July 1, 2010, the statewide E-9-1-1 surcharge is 52¢ per month per line or number or, in the case of prepaid wireless services, 52¢ per month or 30-day increment of service per customer. The statewide E-9-1-1 surcharge must be collected from the customer on a monthly basis by each local exchange telephone utility, cellular or wireless telecommunications service provider and interconnected

voice over Internet protocol service provider and be shown separately as a statewide E-9-1-1 surcharge on the customer's bill, except that in the case of prepaid wireless telephone service, the collection of the statewide E-9-1-1 surcharge is governed by subsection 1-C.

Sec. 2. Authority for legislation; E-9-1-1 surcharge. The Joint Standing Committee on Utilities and Energy may submit legislation regarding the E-9-1-1 surcharge to the Second Regular Session of the 124th Legislature. Before submitting legislation under this section, the committee shall consider E-9-1-1 surcharge revenue history and projections, including surcharge revenue from prepaid wireless services; E-9-1-1 fund expenditure history and projections; unexpended amounts in the E-9-1-1 fund; any opportunities to reduce expenditures related to the configuration of public safety answering points; and designated uses of the E-9-1-1 fund. The Public Utilities Commission, Emergency Services Communication Bureau shall provide relevant information regarding the E-9-1-1 surcharge and E-9-1-1 fund for the committee's consideration.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Emergency Services Communication Bureau 0994

Initiative: Allocates funds to the Emergency Services Communication Bureau for the E-9-1-1 program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,286,506	\$4,043,303
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,286,506	\$4,043,303

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect July 1, 2009.

Effective July 1, 2009.